

Application No. 10/800,150
Preliminary Amendment dated October 27, 2004
Reply to Office Action of September 27, 2004

REMARKS

This Amendment is being made prior to the receipt of a first Office Action in the above-captioned application. Upon entry of this Amendment, claims 1-15 are pending in the instant application.

The specification has been amended to include a specific reference claiming the benefit of Provisional Application No. 60/455,109, filed March 13, 2003, as required under 35 U.S.C. §119(e) and 37 C.F.R. §1.78(a)(5). This reference is submitted during the pendency of the above-captioned application in accordance with 37 C.F.R. §1.78(a)(5)(ii).

The claims have been amended to correct a misnumbering with respect to claims 8 and 9 (second occurrence) and claims 10-11, and to add new claims 14 and 15. More particularly, the second occurrence of claims 8 and 9 have been renumbered as claims 10 and 11, respectively, and claims 10 and 11 have been renumbered as claims 12 and 13, respectively. In addition, new claims 14 and 15 have been added. Support for the new claims may be found in the specification on page 7, lines 7-13, and in drawing FIGS. 2A-B, 2E-H, 3, 8B, 9B, 10A and 11A.

In the drawings, FIGS. 8A and 9B have been amended to delete dimensional notation. FIGS. 10B and 11B have been amended to place the decibel scales outside of the graphical illustrations so that they may be more easily read. FIGS. 10C and 11C have been amended to delete unneeded notations. FIGS. 14A and 14B have been amended to illustrate the drawings in black and white ink, rather than color, in accordance with the drawing standards set forth under 37 C.F.R. §1.84. These amendments are illustrated in the Annotated Sheets of drawings and the Replacement Sheets of drawings which are attached hereto in an Appendix. The Replacement Sheets of drawings, which include FIGS. 1-14B, replace the original drawing sheets submitted with this application.

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AMENDMENTS TO THE DRAWINGS

The attached Replacement Sheets of drawings include changes to FIGS. 8A, 9B, 10B, 10C, 11B, 11C, 14A and 14B. These sheets, which include FIGS. 1-14B, replace the original drawing sheets submitted with this application.

More particularly, as illustrated in the attached Annotated Sheets of drawings, FIGS. 8A and 9B have been amended to delete dimensional notation. FIGS. 10B and 11B have been amended to place the decibel scales outside of the graphical illustrations so that they may be more easily read. FIGS. 10C and 11C have been amended to delete unneeded notations. FIGS. 14A and 14B have been amended to illustrate the drawings in black and white ink, rather than color, in accordance with the drawing standards set forth under 37 C.F.R. §1.84.

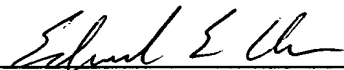
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Applicants respectfully request entry of the foregoing amendments prior to examination of the above-captioned application.

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

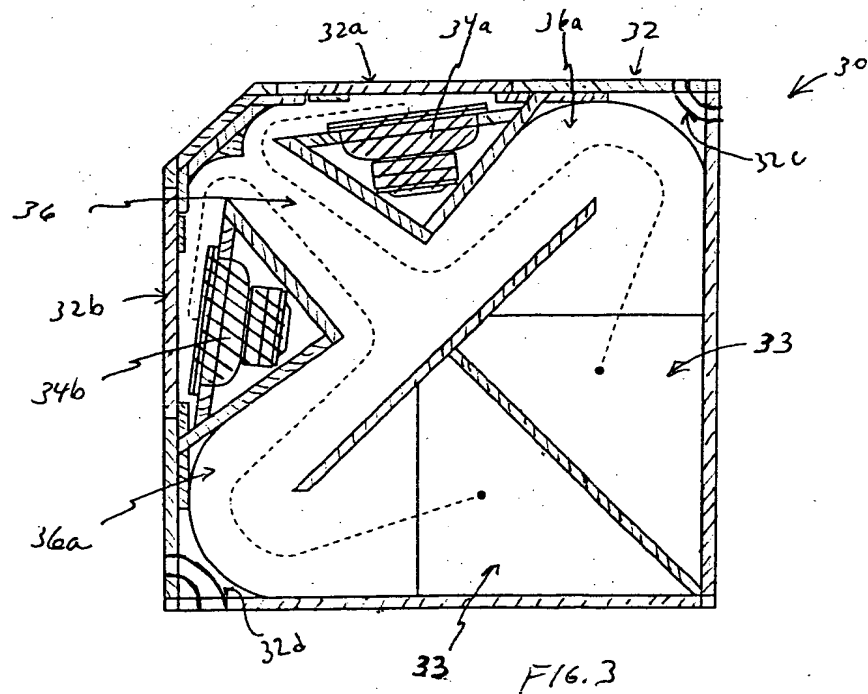
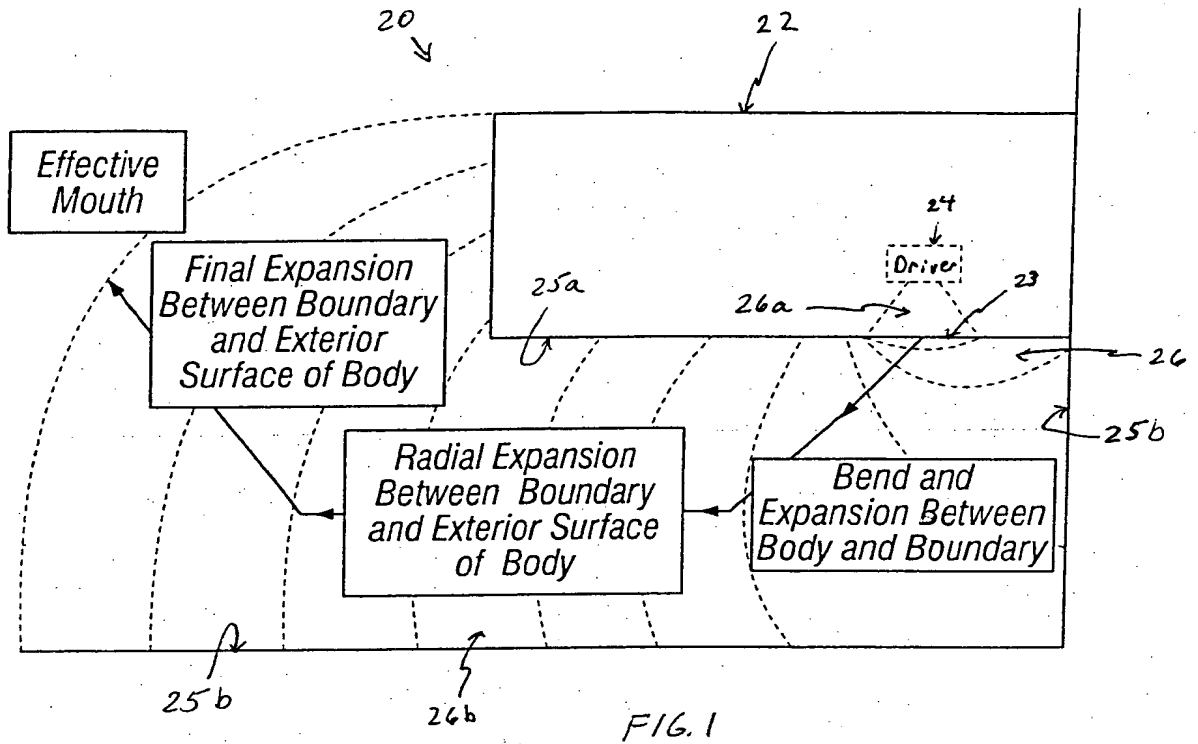
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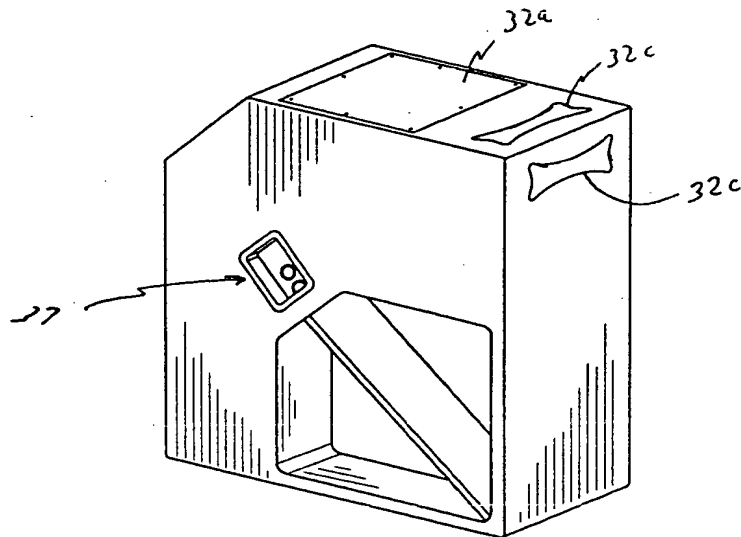
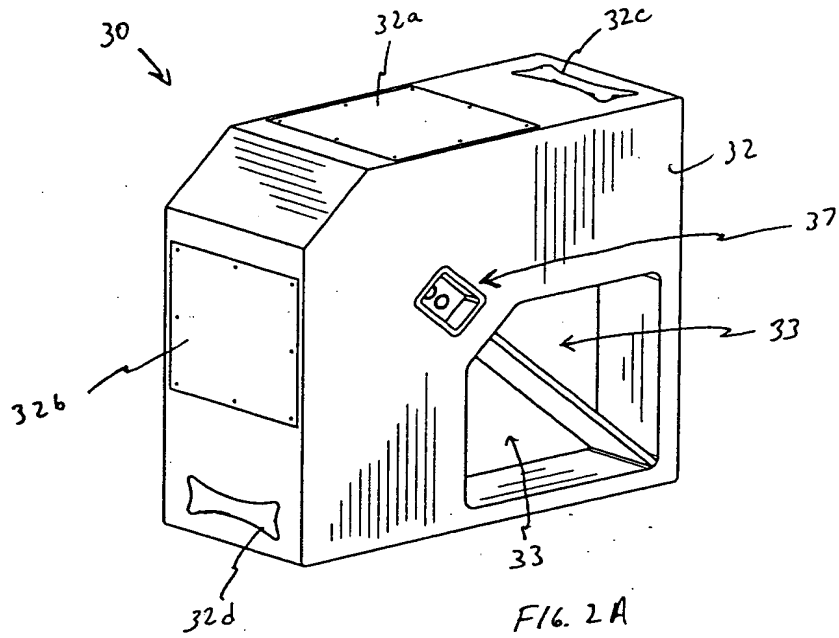


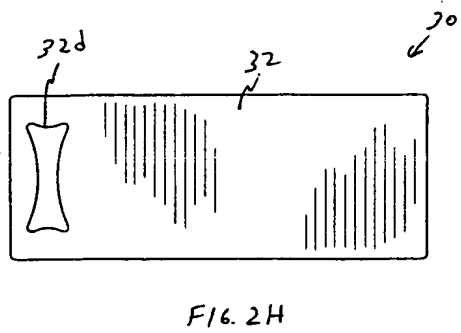
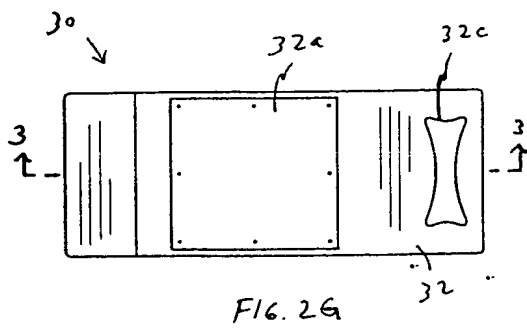
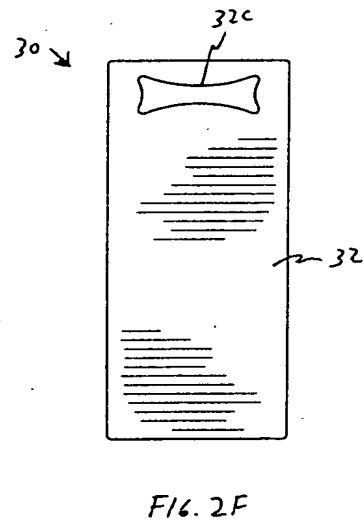
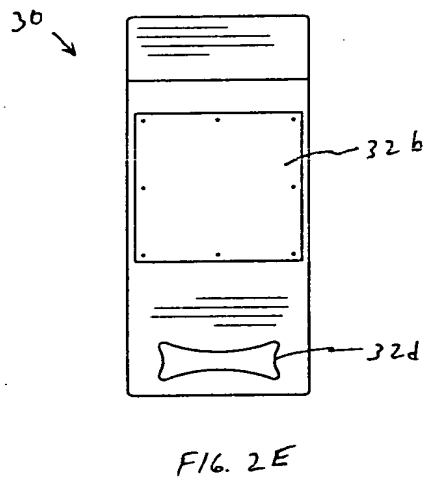
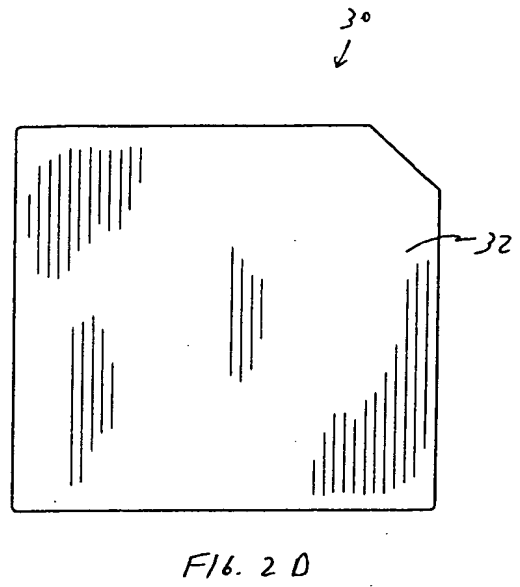
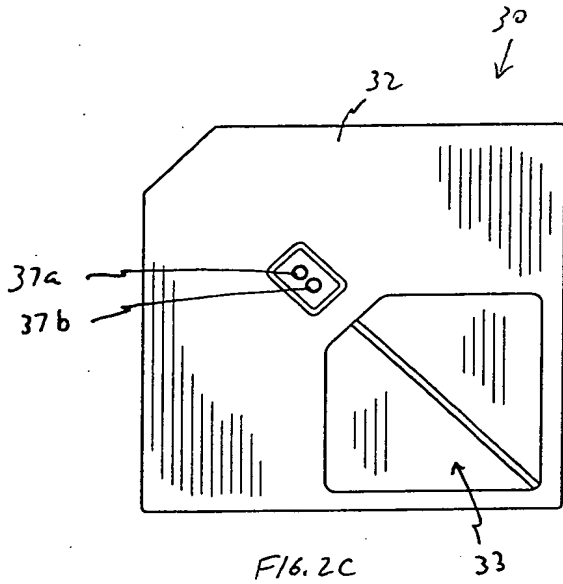
Edward E. Clair
Registration No. 51,565

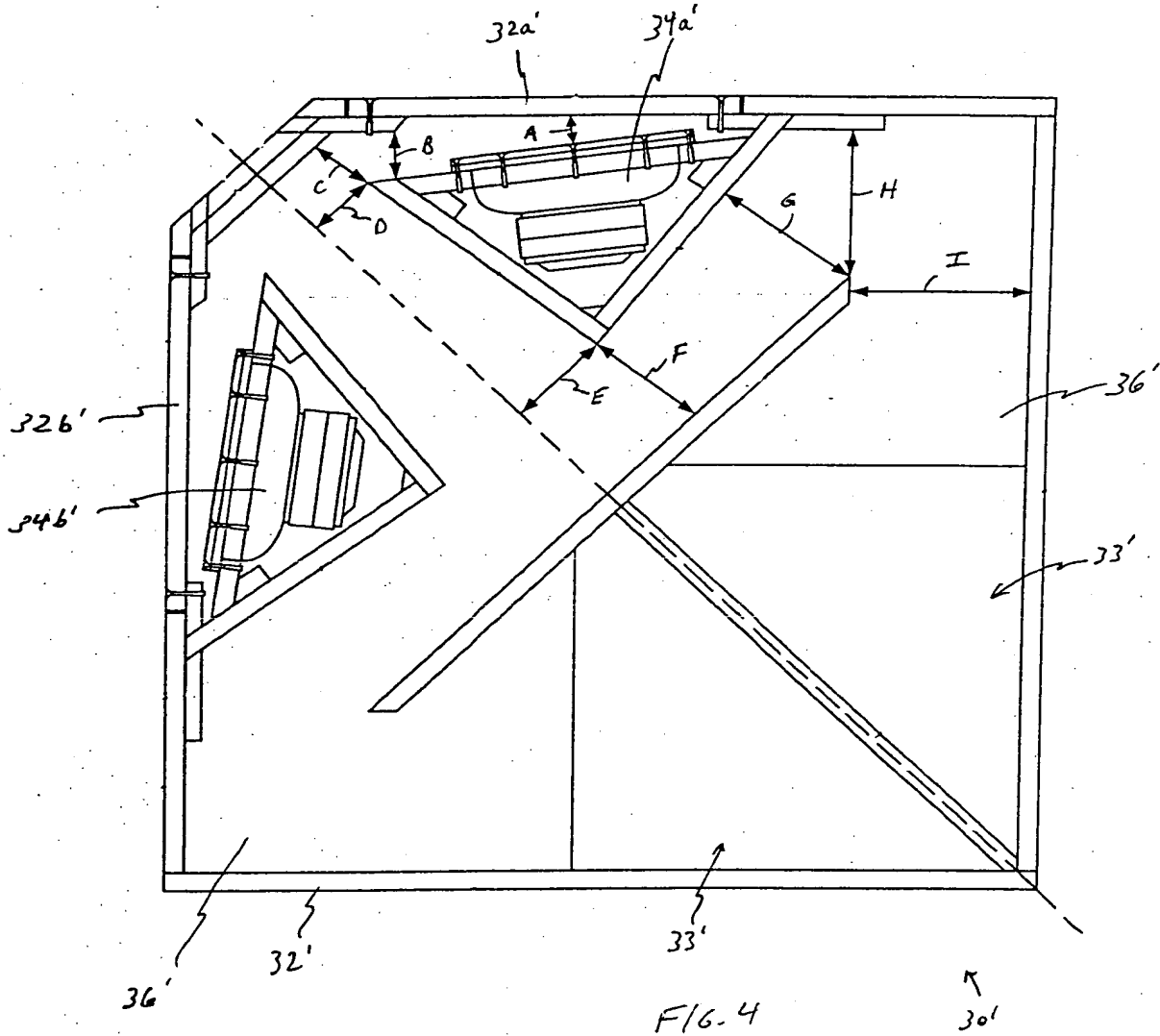
120 South LaSalle Street, Suite 1600
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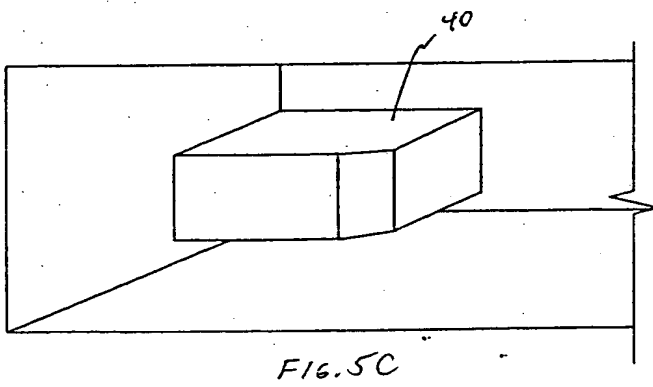
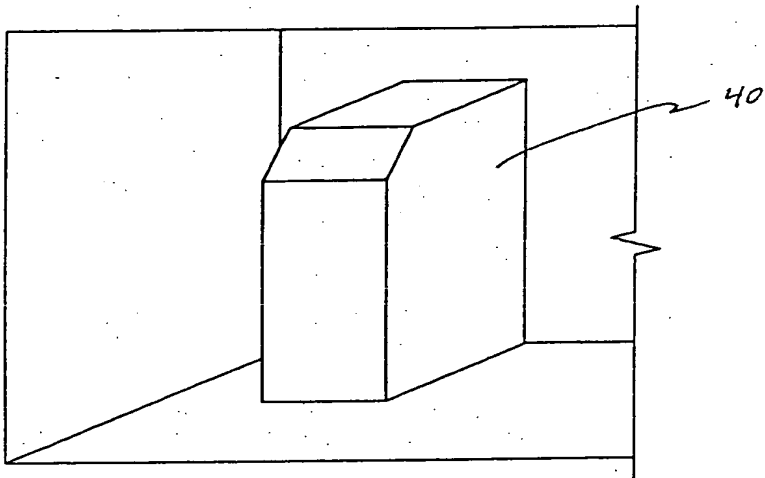
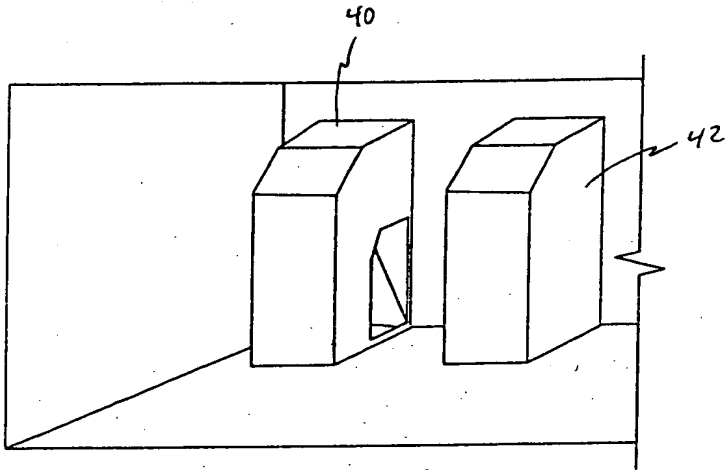
Appendix



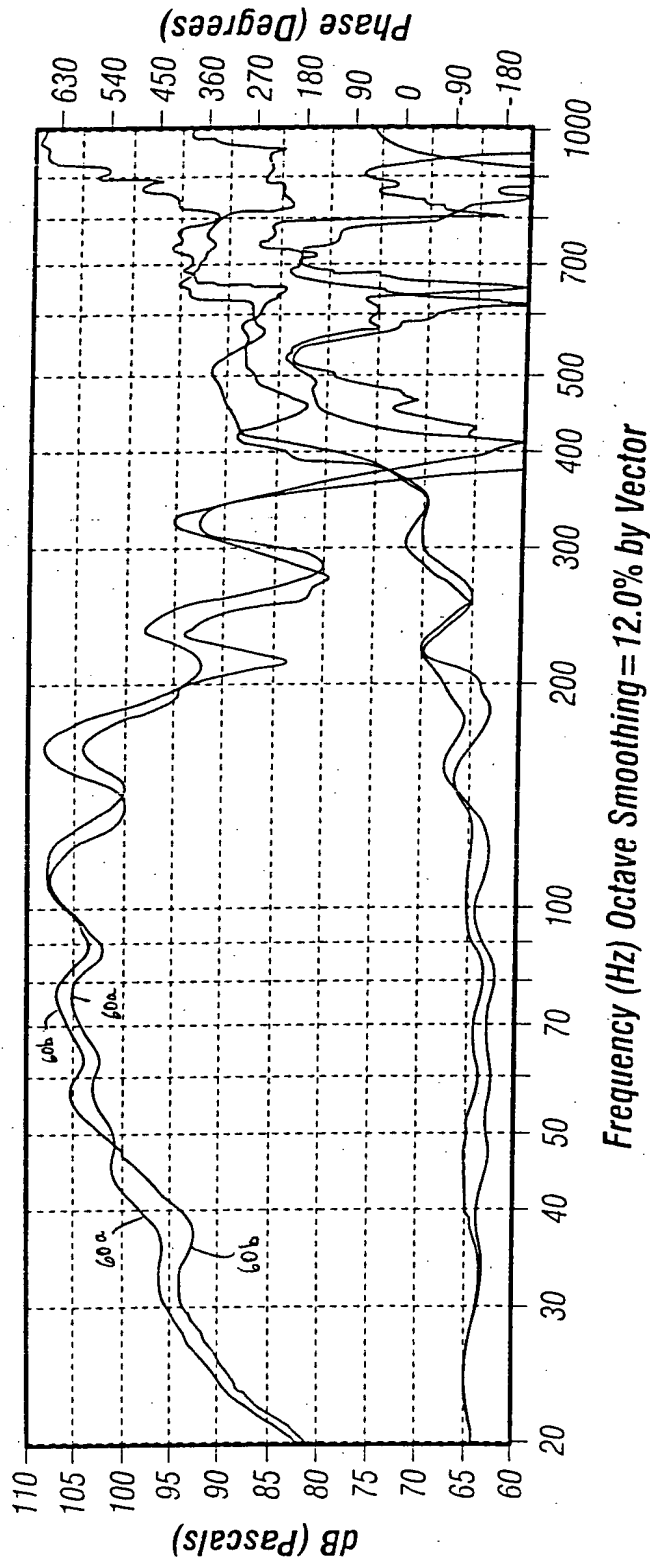








2048 Samples in 20.0s, Frequency Res=7.0Hz, Time Res=142.86 ms(161.43 feet)



F16.4

2048 Samples in 20.0s, Frequency Res=7.0Hz, Time Res=142.86 ms(161.43 feet)

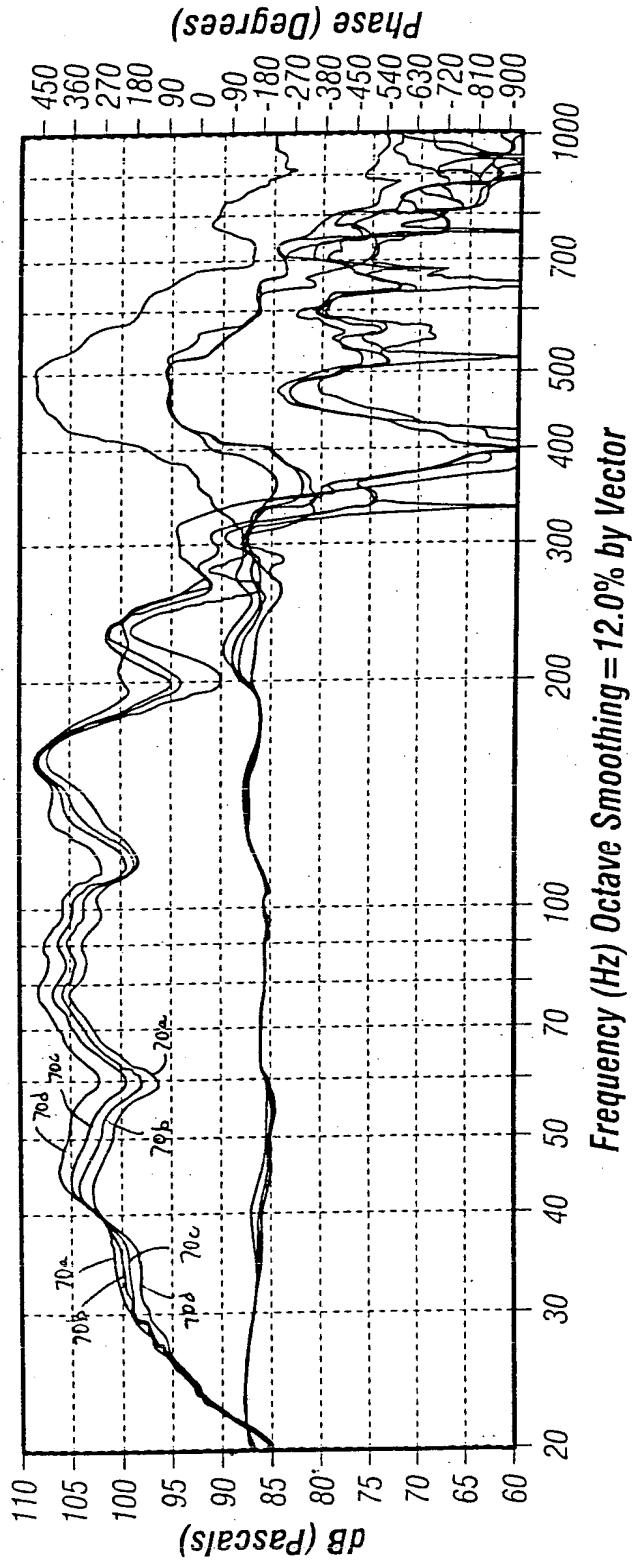


Fig. 7

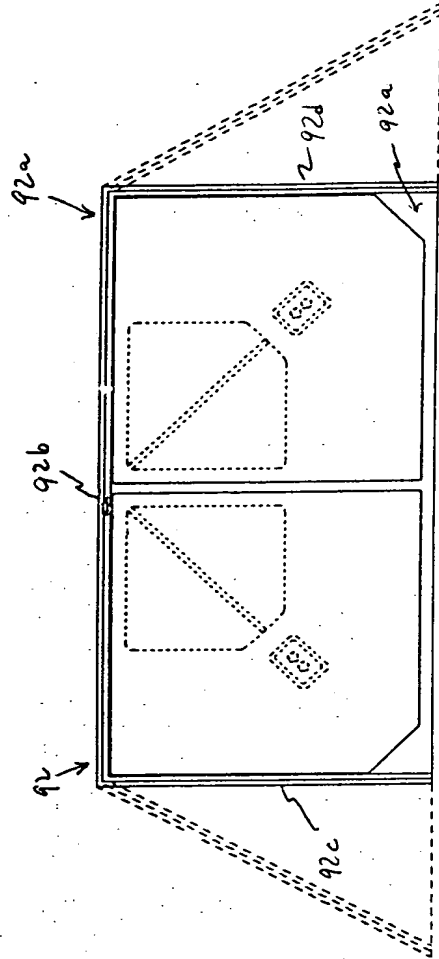
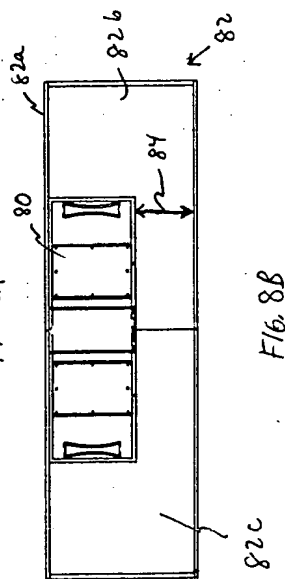
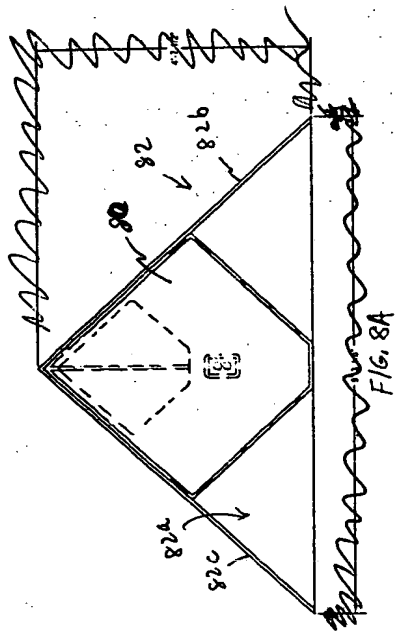
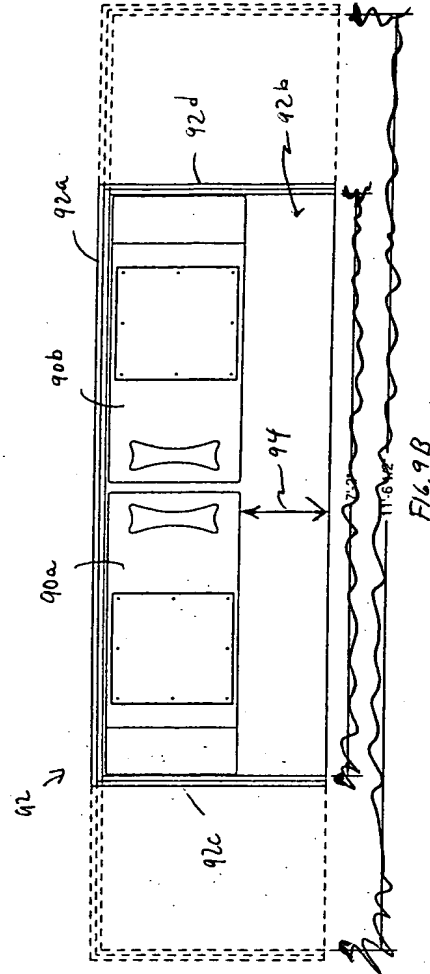
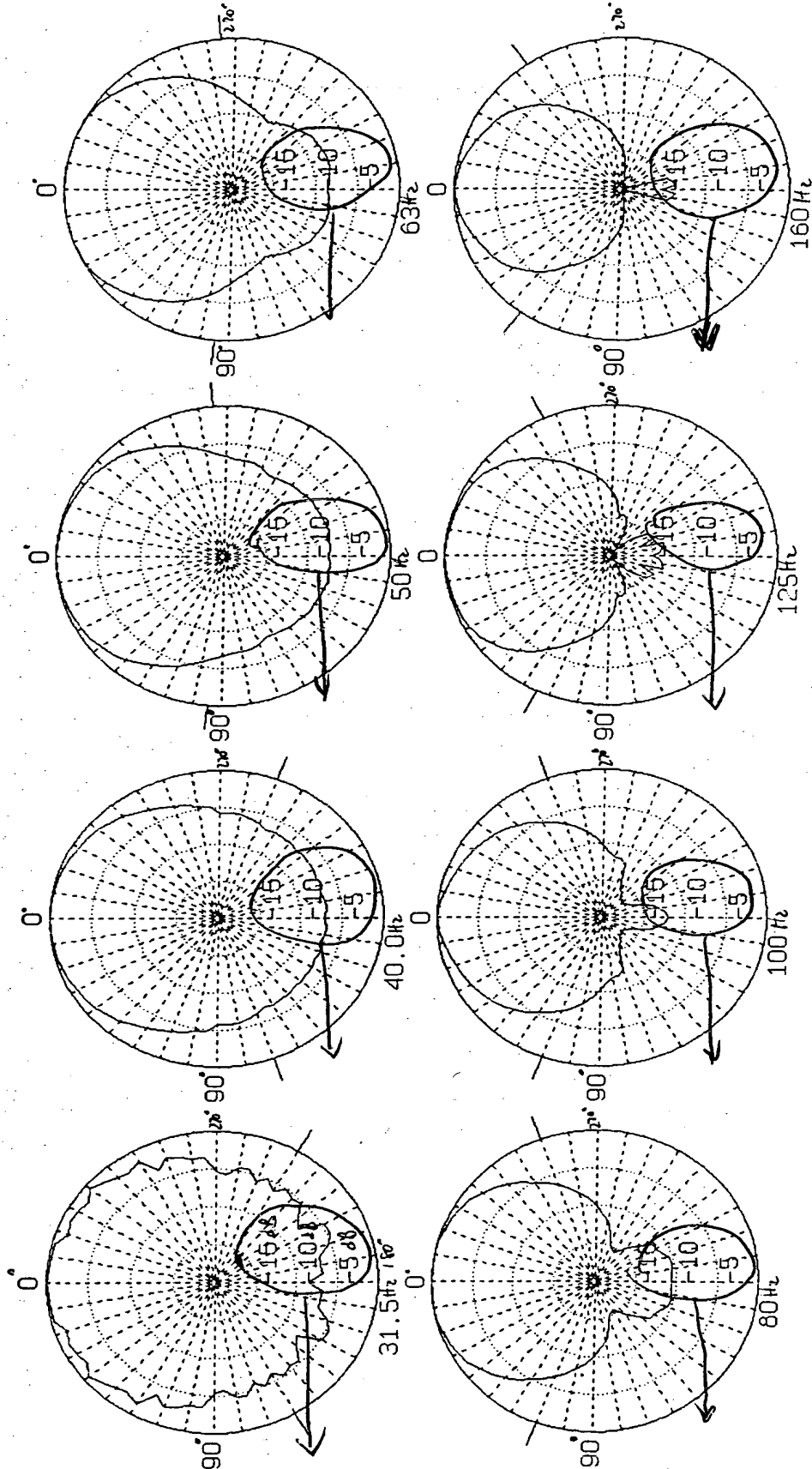


FIG. 9A

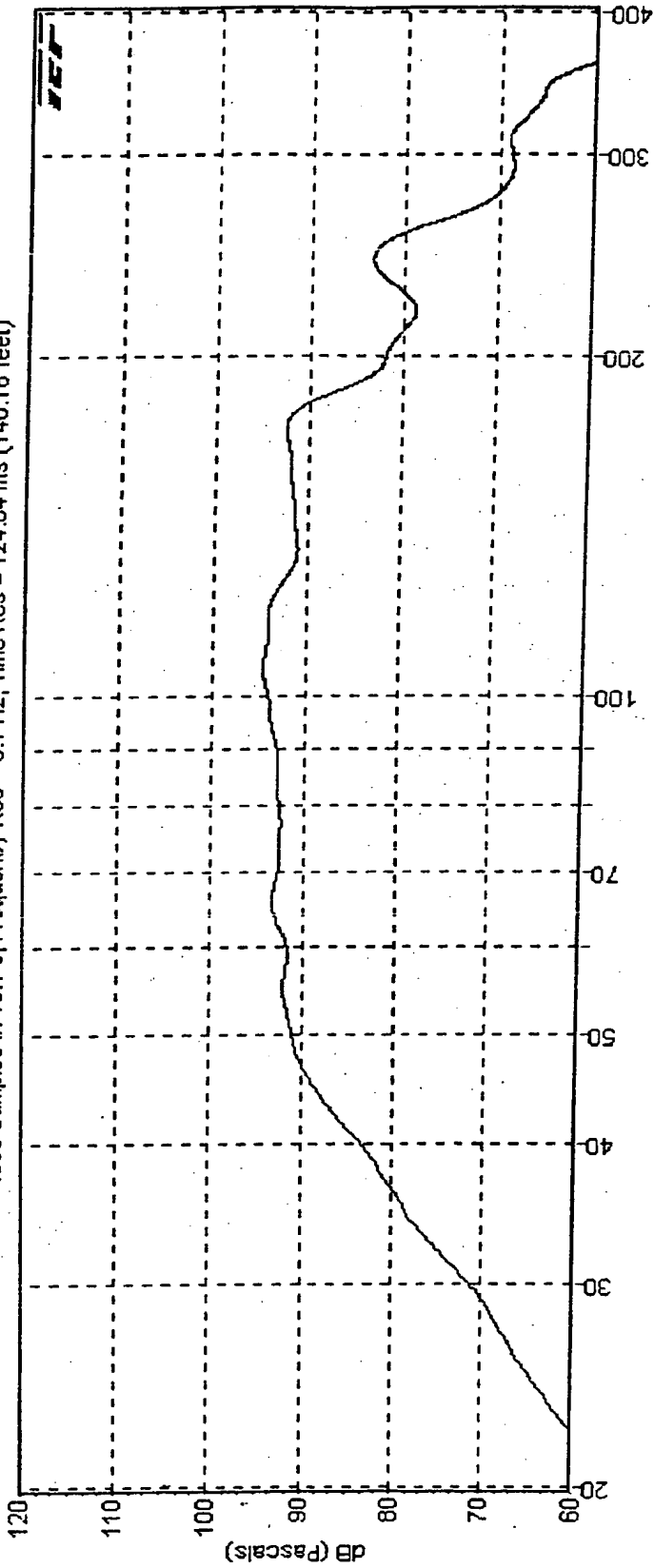




Handwritten:
 BdeapX2@10meters
 2.8V@10meters CP □ □
 Outside

— BdeapX2@10meters.tds

4096 Samples in 15.1 s, Frequency Res = 8.1 Hz, Time Res = 124.04 ms (140.16 feet)



Frequency (Hz) Octave Smoothing = 10.0 %

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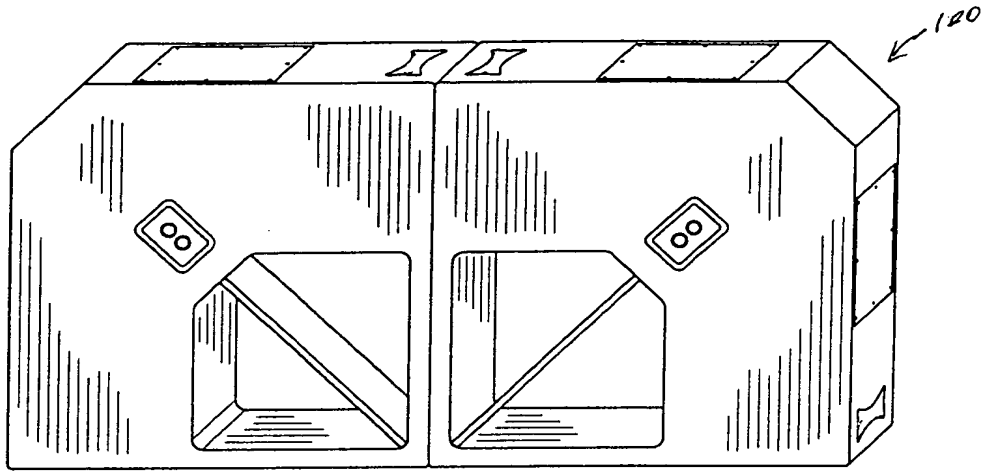


FIG. 10A

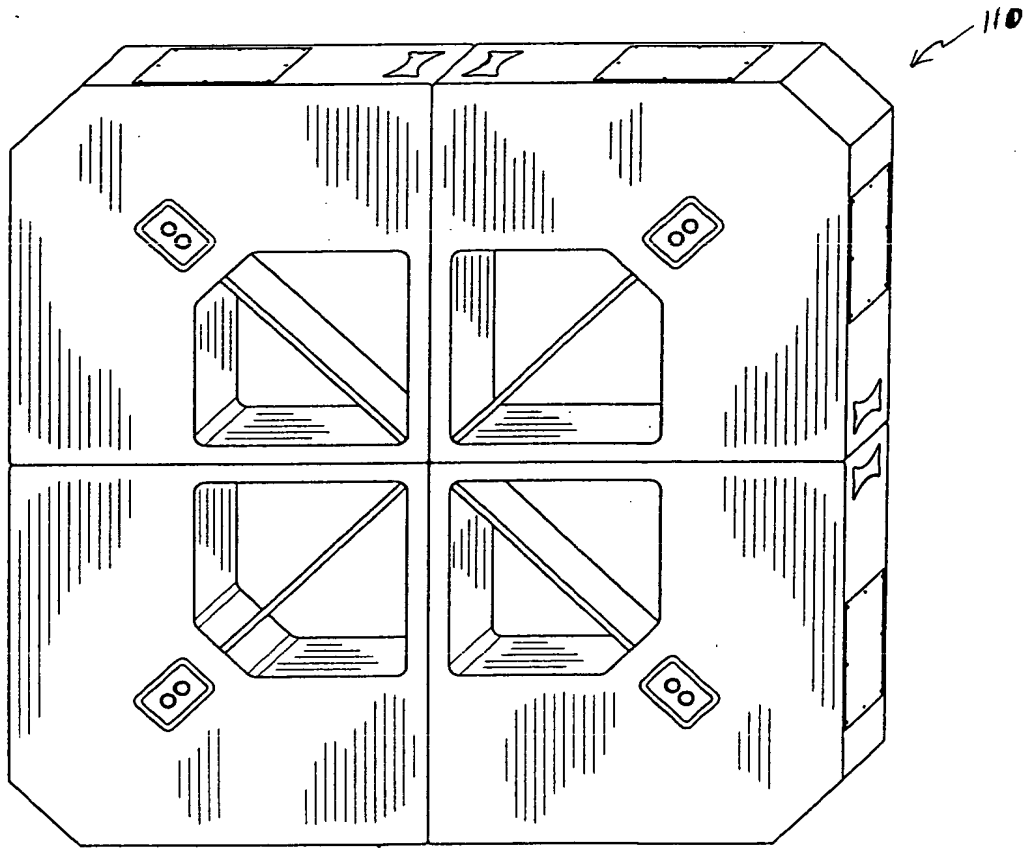


FIG. 11A

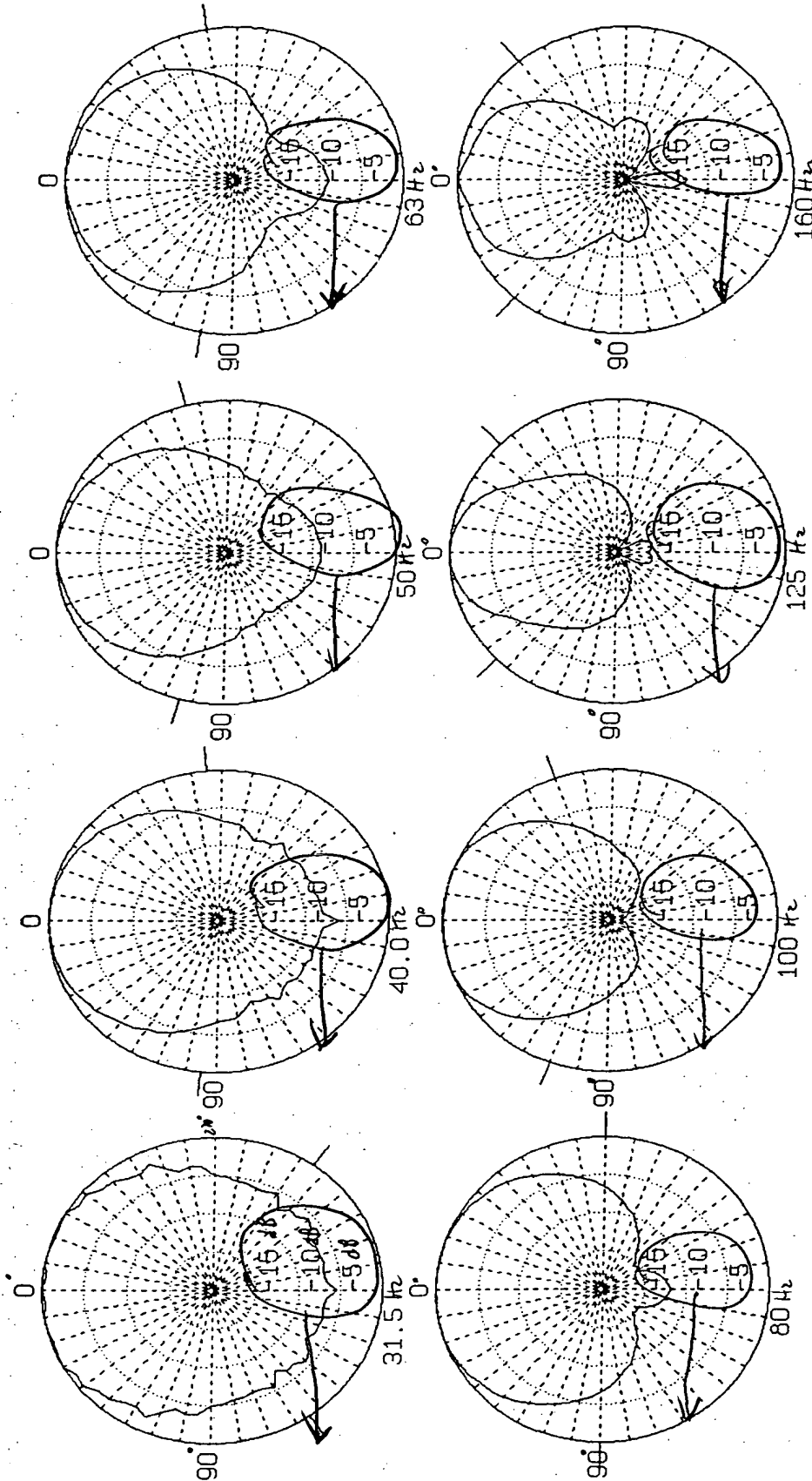
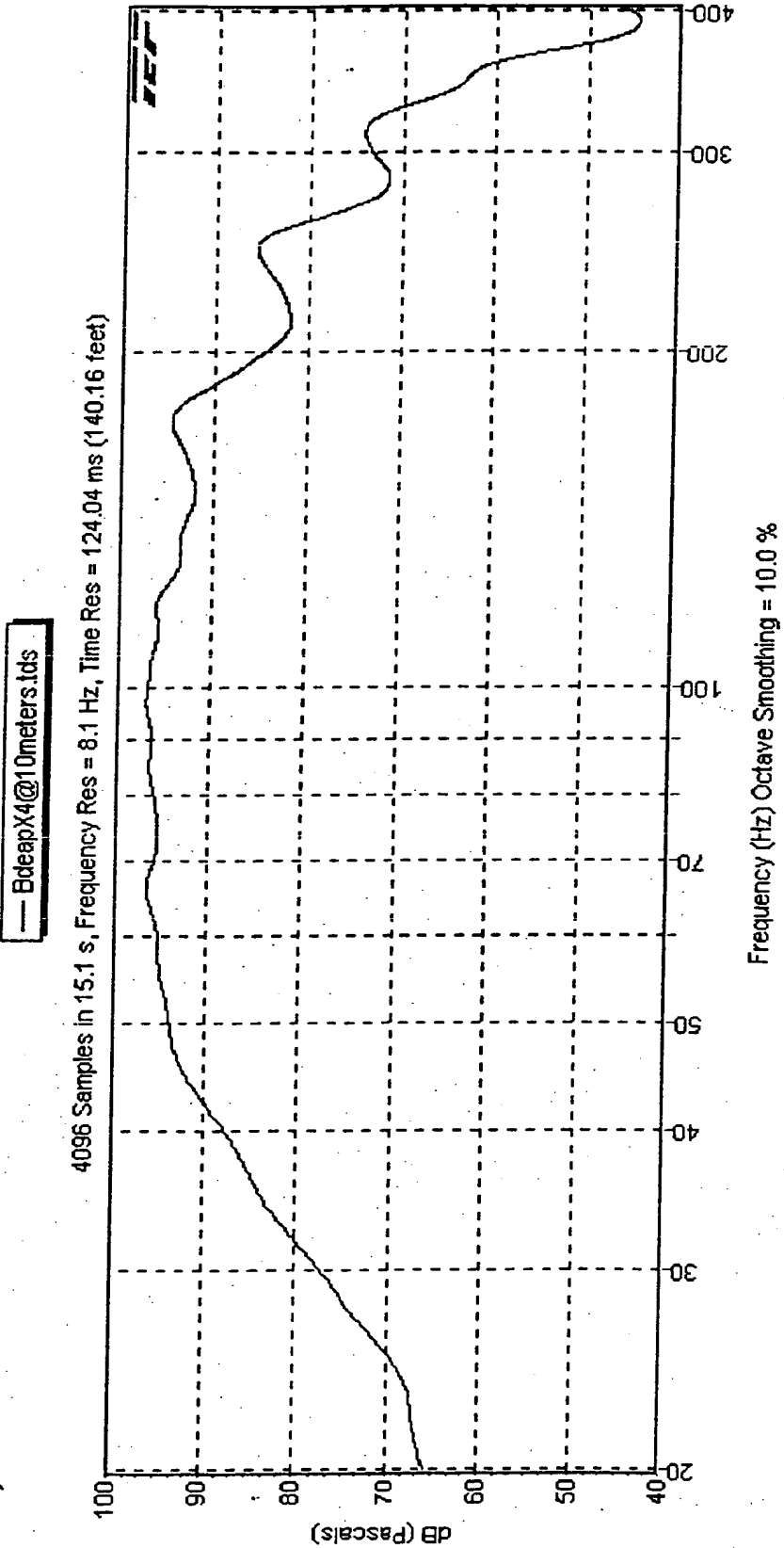
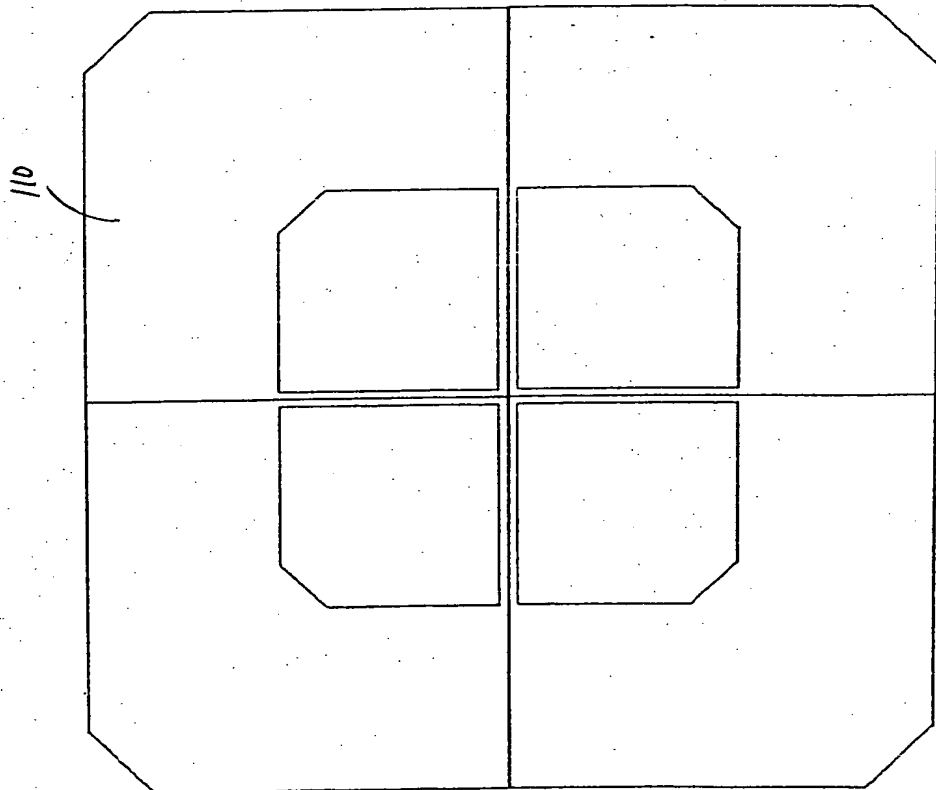
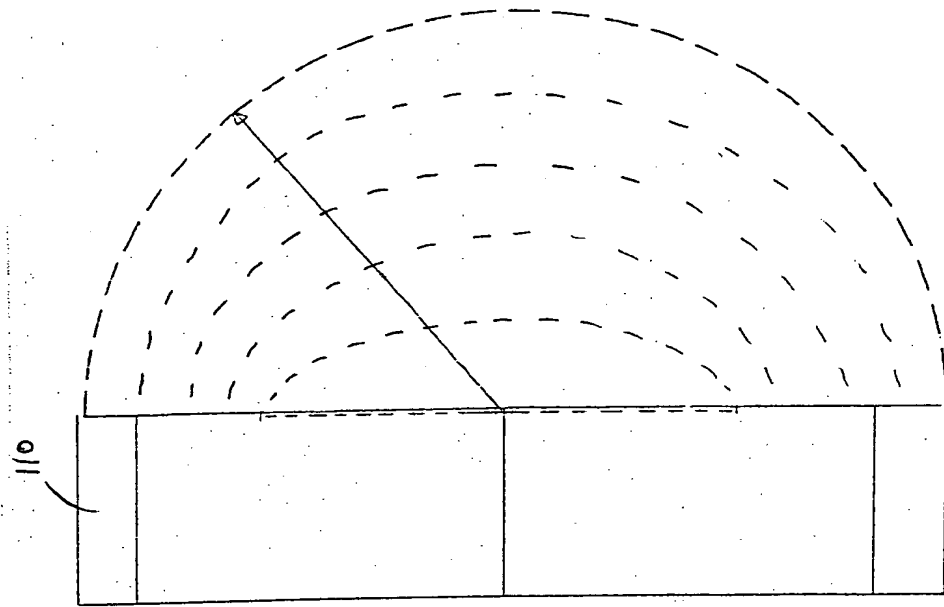


Fig. 11B

BdeapX4@10meters
2.V@10mtr GP □ □
Outside



F16.11C



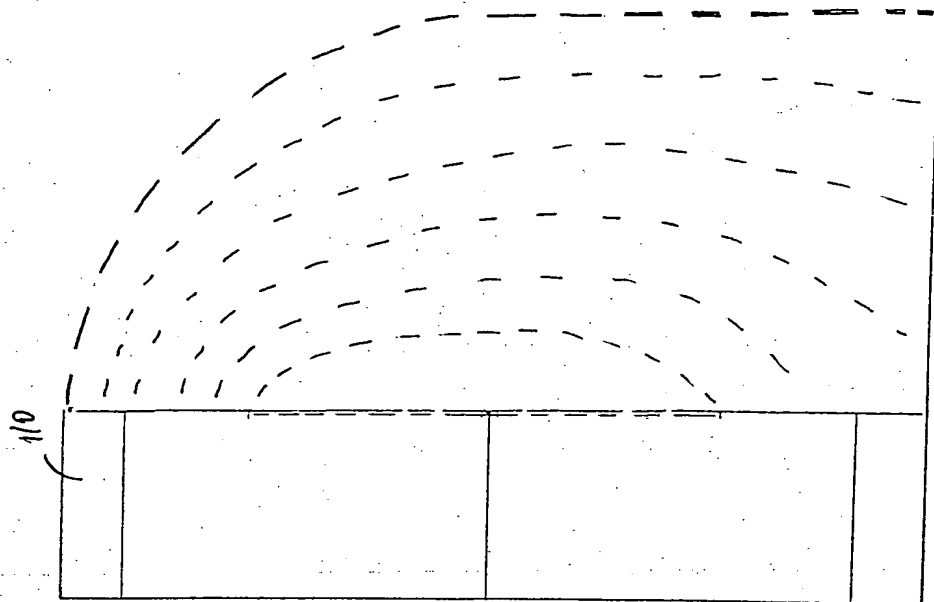


FIG. 13A

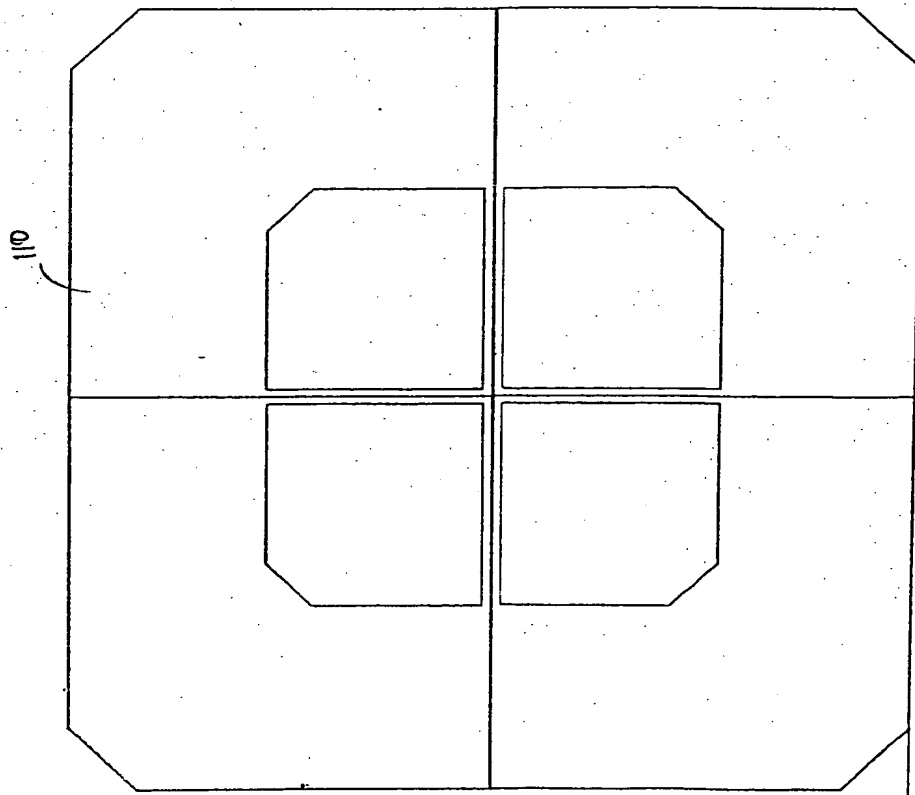


FIG. 13B

BEST AVAILABLE COPY

SPL B-DEAP Sub woofer impedance
SPL-B-DEAP-32 loading comparison 1/30/2004 2:14:00 AM
Pair of B-DEAPs are in series and scaled (1/2) for comparison
Cursor = 2.9 dB at 54.0 Hz (20.2 degs)

— BdeapX4-2on2-impedance.imp Mag — BdeapX2-impedance.imp Mag SPL B-DEAP Sub woofer impedance.imp Mag

8192 Samples, Frequency Res = 3.0 Hz

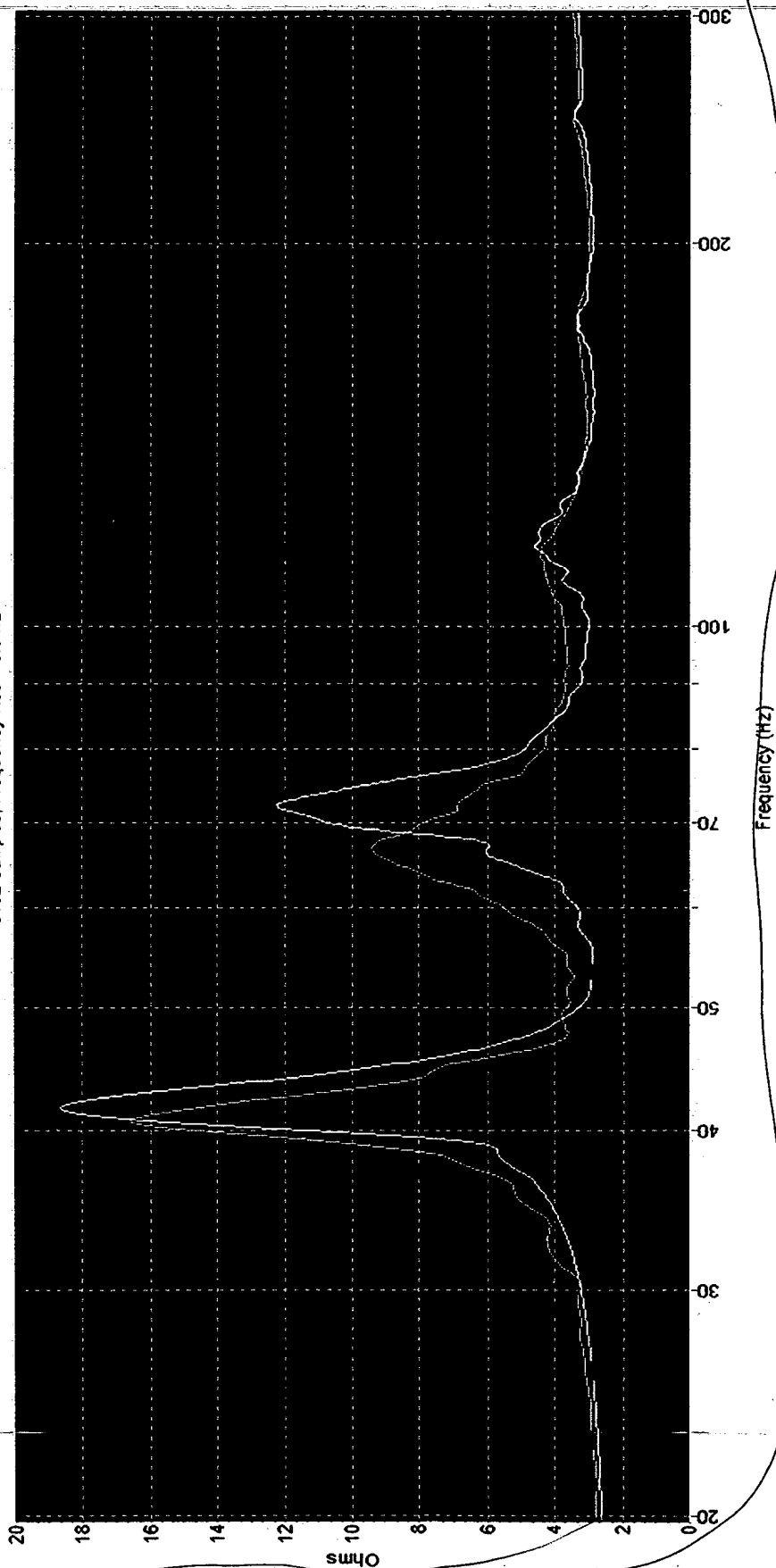


FIG. 14A

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SPL B-DEAP Sub woofer impedance
SPL-B-DEAP-32 loading comparison 1/30/2004 2:14:00 AM
Pair of B-DEAPs are in series and scaled (1/2) for comparison
Cursor = 2.9 dB at 54.0 Hz (20.2 degs)

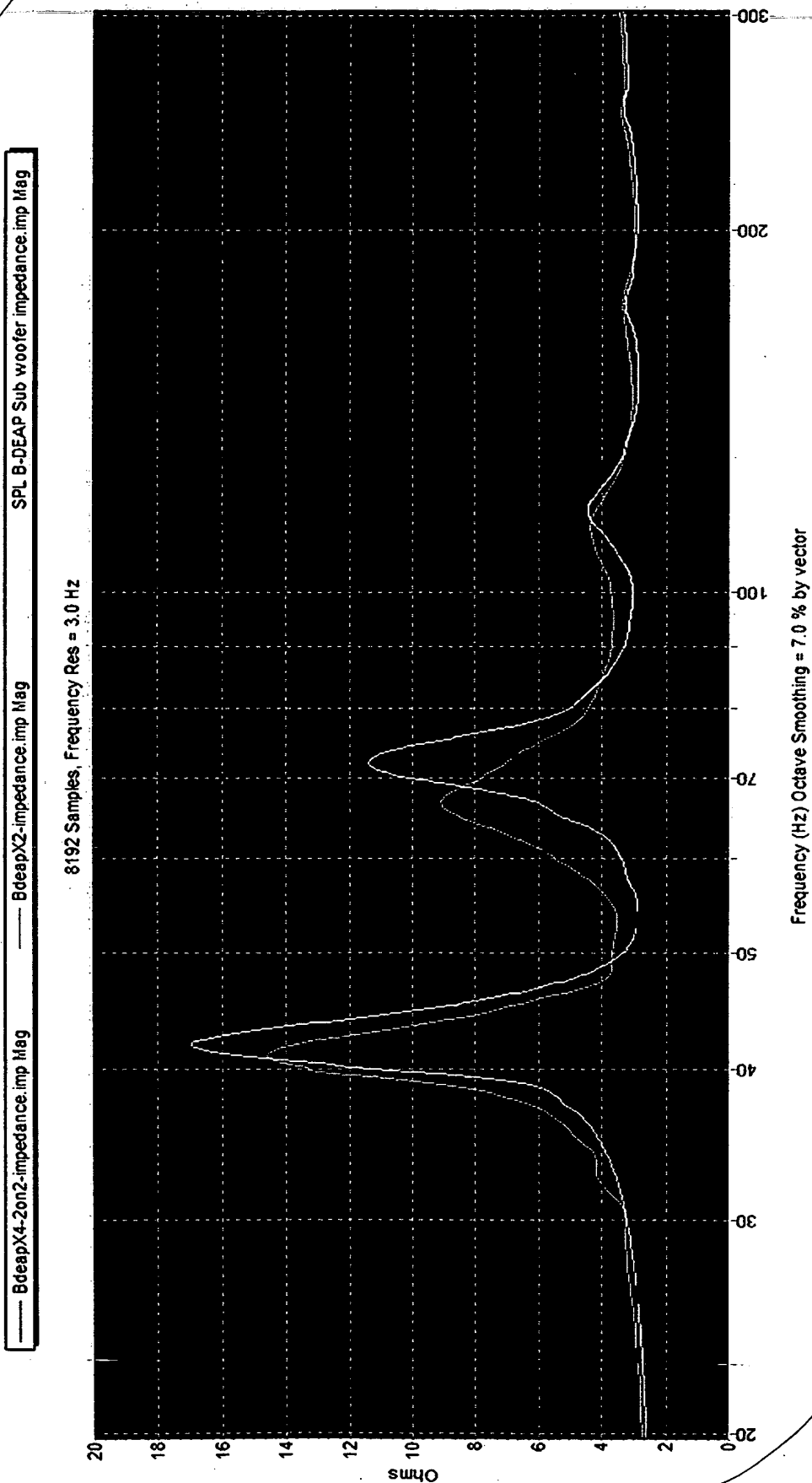


FIG. 14B